

II. Remarks

The Examiner is requested to reconsider the application, including making the IDS and art submitted in the filing of 30 April 2004 of record.

Applicant respectfully requests a more detailed explanation of the Sec. 102 rejection (i.e., pursuant to 35 U.S.C. Sec. 132, "the reasons for such rejection... together with such information as may be useful in judging the propriety of continuing prosecution...").

The Examiner contends in the Office Action of 28 June 2004 that Curtis (Column 14, lines 32-43) "taught the concept of 'arbitrating' who can 'send and receive' by using a membership list...." Using a membership list is not the same as using a test for an authenticated user identity. The Examiner is requested to indicate where Curtis teaches the claimed arbitrating... including a test for an authenticated user identity, to... form a group...

Applicant does not see how the Curtis discussion (Column 14, lines 32-43) of what happens when somebody tries to transmit and for some reason is not part of a group constitutes a Sec. 102 disclosure of the step in claim 1 of:

arbitrating with the controller computer, in accordance with predefined rules including a test for an authenticated user identity, to determine which ones of the participator computers can form a group to send and receive communications....

Identification of the Examiner's reasons and information are respectfully requested.

Additionally, the Examiner's position is contradicted by the methods and notifications illustrated in Tables 1 through 7 of Curtis, none of which indicate any authentication; the Examiner's information is also respectfully requested on this point.

Further, if the rejection is maintained, no reason or information has been provided with respect to claims other than claim 1, and many other claim requirements are not


mentioned in Curtis. Sec. 132 requires "the reasons for such rejection... together with such information as may be useful in judging the propriety of continuing prosecution..."

In sum, it is respectfully submitted that the rejection is improper and anticipation under the requirements of Sec. 102 have not been shown. If the rejection is maintained, an interview is respectfully requested.

The application is believed to be in condition for allowance, and favorable action is requested. If the prosecution of this case can be in any way advanced by a telephone discussion, the Examiner is requested to call the undersigned at (312) 240-0824.

The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235, and if any extension of time is needed, this shall be deemed a petition therefor. Please direct all communication to the undersigned at the address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. K. Trzyna', written over a horizontal line.

Peter K. Trzyna
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